

ALLEGED VIOLATIONS: Between 7-24-62 and 9-5-62, while quantities of flour, cornmeal mix, and egg noodles were being held for sale after shipment in interstate commerce, the defendant caused the articles to be held in a building that was accessible to insects, and to be exposed to contamination by insects, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects, insect larvae, pupae and cast skins; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-13-63. \$1,000 fine.

29020. Flour, rice, macaroni, baby cereal, and candy. (F.D.C. No. 48565. S. Nos. 83-589/90 T, 45-608 V, 45-614 V, 45-617 V, 45-621 V.)

INFORMATION FILED: 6-3-63, E. Dist. Ark., against Forrest City Grocery Co., a corporation, Forrest City, Ark., Sol Cohn, president, and William Cohn, secretary-treasurer.

ALLEGED VIOLATIONS: Between 4-18-62 and 10-3-62, while quantities of flour, rice, macaroni, baby cereal, and candy were being held for sale after shipment in interstate commerce, the defendants caused the articles to be held in a building that was accessible to insects and rodents and to be exposed to contamination by insects and rodents, which acts resulted in the articles being adulterated.

CHARGE: 402(a)(3)—contained insects, insect excreta, insect webbing, larvae, cast skins, pupae, and rodent urine; and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-13-63. Corporation—\$1,250 fine; individuals—\$5 fine each.

29021. Flour. (F.D.C. No. 48373. S. Nos. 45-401/2 V, 45-407/8 V.)

QUANTITY: 34 bales, each containing 12 2-lb. bags of all-purpose flour; 17 bales, each containing 10 5-lb. bags, of enriched flour; 13 bales, each containing 10 5-lb. bags, and 12 bales, each containing 5 10-lb. bags, of all-purpose flour, at Springfield, Mo., in possession of Rothermel Bros. Flour & Feed Co.

SHIPPED: Between 3-5-62 and 8-9-62, from Wichita, Kans., and Claflin, Kans.

LIBELED: 11-21-62, W. Dist. Mo.

CHARGE: 402(a)(3)—contained insect larvae (34-bale, 13-bale, and 12-bale lots), insects, insect pupae, and cast skins (34-bale lot), insects (13-bale lot), and insect cast skins (12-bale lot); and 402(a)(4)—all lots held under insanitary conditions.

DISPOSITION: 1-15-63. Default—delivered to a charitable institution for use as animal feed.

29022. Flour. (F.D.C. No. 48733. S. No. 23-128 V.)

QUANTITY: 94 bales, each containing 10 5-lb. bags, at Pocatello, Idaho.

SHIPPED: 2-22-63, from Ogden, Utah, by General Mills, Inc.

LABEL IN PART: (Bag) "Gold Medal Flour All Purpose Enriched \* \* \* 8 Oz. of Enriched Flour Supply \* \* \* General Mills, Inc. Minneapolis, Minnesota."

RESULTS OF INVESTIGATION: Examination showed that a gummed band bearing additional labeling had been placed around each 5-lb. bag in such manner as

to partially obscure the statement of enrichment and totally obscure the name and address of the manufacturer.

**LIBELED:** 4-4-63, Dist. Idaho.

**CHARGE:** 403(f)—when shipped, the information required under 403(e) (1) and 403(j), namely, the name and address of the manufacturer, packer, or distributor, and the statement of enrichment, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs, or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use.

**DISPOSITION:** 4-29-63. Default—delivered to a Government institution.

**29023. Flour and self-rising flour.** (F.D.C. No. 48429. S. Nos. 47-270/72 V.)

**QUANTITY:** 90 25-lb. bags of plain flour, 295 25-lb. bags of self-rising flour, and 22 bales, each containing 5 10-lb. bags of self-rising flour, at Pocahontas, Ark., in possession of L. K. Ashcraft Co.

**SHIPPED:** 9-20-62 and 10-29-62, from Wichita, Kans., and Kansas City, Mo.

**LIBELED:** 12-27-62, E. Dist. Ark.

**CHARGE:** 402(a) (3)—contained insects (all lots), and insect larvae, insect pupae, and cast skins (bales only); and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 2-7-63. Default—delivered to a public institution for use as animal feed.

**29024. Self-rising flour.** (F.D.C. No. 44962. S. Nos. 2-164/67 R, 2-175/79 R.)

**INFORMATION FILED:** 1-10-61, W. Dist. N.C., against Banner Roller Mills, Inc., Lincolnton, N.C.

**SHIPPED:** Between 3-18-60 and 4-29-60, from North Carolina to South Carolina.

**LABEL IN PART:** (Bag) "10 Lbs. [or "5 Lbs." or "25 Lbs."] Net Weight White Satin Self-Rising Flour [or "Phosphated Flour Bleached"] Banner Roller Mills, Inc., Lincolnton, N.C."

**CHARGE:** 402(a) (3)—contained insect filth (3 counts) and insect and rodent filth (3 counts); and 402(a) (4)—prepared and packed under insanitary conditions.

**PLEA:** Guilty.

**DISPOSITION:** 4-16-63. \$750 fine.

#### MISCELLANEOUS CEREALS AND CEREAL PRODUCTS

**29025. Rice.** (F.D.C. No. 48834. S. No. 67-401 V.)

**QUANTITY:** 1,540 25-lb. bags, at Charleston Heights, S.C., in possession of Thomas & Howard Co.

**SHIPPED:** 1-30-63, from Stuttgart, Ark.

**LIBELED:** 4-5-63, E. Dist. S.C.

**CHARGE:** 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

**DISPOSITION:** 4-18-63. Consent—claimed by Thomas & Howard Co. Segregated; 92 bags destroyed.